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For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THREE BROTHERS TRUCKING,

No. C 06-2583 WDB

Plaintiffs,

ORDER RE CONSENT OR REASSIGNMENT

V.

EXEL GLOBAL LOGISTICS,

Defendants.

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Pursuant to the Court's order filed April 26, 2006, this case has been related to case number 06-1816, and both cases now are assigned to the undersigned United States Magistrate Judge. Without the written consent of all parties to jurisdiction pursuant to 28 U.S.C. section 636(c), a Magistrate Judge may not hear and determine a motion that could be dispositive of an action or a claim or defense. On April 14, 2006, defendant Exel Global Logistics filed a motion to dismiss or transfer -- a potentially dispositive motion. In light of defendant's pending motion, the Court asks the parties to consider the attached "Consent to Assignment or Request for Reassignment," make an election, and file the consent or request for reassignment **by no later than May 3, 2006.**

IT IS SO ORDERED.

/s/ Wayne D. Brazil

Dated: April 27, 2006

WAYNE D. BRAZIL
United States Magistrate Judge

For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THREE BROTHERS TRUCKING,

No. C 06-2583 (WDB)

Plaintiff(s).

CONSENT TO ASSIGNMENT OR
REQUEST FOR REASSIGNMENT

v.

EXEL GLOBAL LOGISTICS,

Defendant(s).

/

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of Title 28, U.S.C. Section 636(c), the undersigned party or parties to the above-captioned civil matter hereby voluntarily consent to have a United States Magistrate Judge conduct any and all further proceedings in the case, including trial, and ordering the entry of a final judgment. Appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

Dated: _____

Signature
Counsel for [PLAINTIFF] [DEFENDANTS]**REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge. Appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

Dated: _____

Signature
Counsel for [PLAINTIFF] [DEFENDANTS]